

APPROVED 6-4-12
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, May 7, 2012 at the North Haven Community and Recreation Center, 7 Linsley Street, in the Gymnasium at 7:30 PM.

MEMBERS PRESENT:

Vern E. Carlson, Chairman
Douglas E. Roberts, Vice Chairman
Curtis D. Andrews, Sr., Secretary
James J. Giulietti
Theresa Ranciato-Viele
Edward M. Homa, Alternate
Richard E. Wilson, Alternate

MEMBERS ABSENT: None

OTHERS PRESENT:

Alan A. Fredricksen, Land Use Administrator
Jonathan Bodwell, Town Engineer
Sotonye Otunba-Payne, Public Stenographer
Sandra Lion, Clerk

AGENDA:

Mr. Carlson, Chairman, opened the meeting at 7:40 p.m. and introduced the Commissioners, alternates, town staff and the clerk. Mr. Carlson stated that the order of the agenda will be rearranged due to the anticipated longevity of applications #3 and #4.

PUBLIC HEARINGS:

Mr. Andrews read the call for the first Public Hearing.

2. #P12-06 Resubdivision Application of Frank Ferrucci – FRD Associates, LLC, Applicant, 2 Dwight Street, Associates, LLC, Owner, for 2 (two) lots relative to 2 Dwight Street, (Map 100, Lot 2). Plan Entitled: Resubdivision Plan, 2 Dwight Street, North Haven, Connecticut. Prepared by John Paul Garcia & Assoc. Dated 2/20/12. Scale 1" = 40'. IL-80 Zoning District.

Mr. John Paul Garcia of John Paul Garcia and Associates presented the application to permit the resubdivision of this 13.8 acre parcel into two (2) lots of 9.183 acres and 4.617 acres. The applicant is asking for a partial waiver of the required sidewalks. The Inland Wetlands Commission approved a positive resubdivision referral on April 25, 2012. The Commission asked questions and Mr. Garcia responded.

Mr. Carlson asked for public comment. There being no public comment, the Public Hearing was closed.

SITE PLANS:

5. #P12-05 Site Plan Application of Steven Dostie, Owner and Applicant, relative to 73 Defco Park Road, (Map 95, Lot 25). Plan Entitled: Proposed Site Development Plan, 73 Defco Park Road, North Haven, Connecticut. Prepared by John Paul Garcia and Associates, PC., Dated 2-2-12. Scale 1"= 30'. IL-80 Zoning District.

Mr. John Paul Garcia of John Paul Garcia and Associates, P.C., presented the application to permit the construction of a new 7,500 square feet, single story, warehouse/office use building to the rear of the existing building. The Zoning Board of Appeals granted a 10' rear setback variance on March 15, 2012. Mr. Garcia asked to waive the required sidewalks and then reviewed town staff comments. The Commission asked questions and Mr. Garcia responded.

6. #P12-14 Site Plan Application of 30 Washington Avenue Realty, Corp., Owner and Applicant, relative to 30 Washington Avenue, (Map 67, Lot 188). Plan Entitled: Property Located at #30 Washington Avenue, North Haven, Connecticut. Prepared by Criscuolo Engineering, LLC. Dated 2/28/12, ev. 3/26/12. Scale 1"= 20'. LC-12 Zoning District.

Mr. Giulietti recused himself from this application and Mr. Homa sat.

Attorney William Gambardella presented the application for the construction of an approximately 400 square feet, two story addition to the existing building located in the southeast corner of this parcel, as well as associated sitework. The Commission asked questions and Attorney Gambardella responded.

OTHER:

- Modification of Application #P11-22, 1405 and 1415 Hartford Turnpike

Mr. Joe DiGioia of DonMar Construction presented the sidewalk modification to eliminate sidewalks on Hartford Turnpike due to safety concerns. The Commission asked questions and Mr. DiGioia and Mr. Bodwell, Town Engineer, responded.

Mr. Giulietti moved to continue this item to the June 4, 2012 meeting; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Roberts – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye

- Modification of Application #P08-13, 195 McDermott Road

Mr. Les Smith of Covidien and Mr. John Zyrlis of TPA Design presented the site plan modification for the relocation of a driveway. Mr. Zyrlis stated that 40 parking spaces will have to be eliminated, however, they will still meet the parking requirement.

Mrs. Ranciato-Viele moved to approve the site plan modification for application #P08-12, 195 McDermott Road; Mr. Giulietti seconded the motion. The Commission voted as follows:

Carlson – aye Roberts – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye

CHANGE OF USE:

464 Washington Avenue

Ms. Eliana Parscepi presented the Change of Use from an office to a School of Cosmetology. The Commission asked questions and Ms. Parscepi responded.

Mr. Andrews moved to approve the Change of Use from an office to a School of Cosmetology; Mr. Giulietti seconded the motion. The Commission voted as follows:

Carlson – aye Roberts – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye

269 Universal Drive North

Mr. Nick Brown, representing Price Reit, Inc., presented the Change of Use from retail to a hair salon.

Mrs. Ranciato-Viele moved to approve the Change of Use from retail to a hair salon; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Roberts – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye

Mr. Andrews read the call for the second Public Hearing.

3. #P12-07 Application of Bernard Pellegrino, Applicant, proposed amendment to The North Haven Zoning Regulations, to add Section 2.6, to allow a Housing Opportunity Zone. The proposed amendment is on file in the Land Use Office and the Office of the Town Clerk.

BREAK: 8:18 – 8:29 PM

Attorney Bernard Pellegrino, Jr. of the Pellegrino Law Firm presented the proposed amendment to add Section 2.6 to allow a Housing Opportunity Zone as an overlay zoning district, for lots sizes between ten and twenty acres with access from a state highway. Mr. Mario DiGioia resident of North Haven and owner of DonMar Construction further discussed the Housing Opportunity Zone. Attorney Pellegrino submitted Mr. DiGioia's presentation into the record, Exhibit A.

Mr. Michael Looney of Milone and McBroom discussed the economics and statistics of the town and the benefits of affordable housing. Then he submitted his presentation into the record, Exhibit, B. Mr. Tom Daley, P.E. of Milone and McBroom further described the proposed cluster developments and the benefits of these developments. Attorney Pellegrino concluded the presentation and then answered questions from the Commission.

Mr. Carlson asked for public comment:

Public comment:

1. Pat Dobroth, spoke in favor of the application.
2. Nick Bernardo, spoke in favor of the application.
3. Gabe Gambardella of Hamden, spoke in favor of the application because it will allow him to live in town. He feels this is a great opportunity for young professionals. He also feels that it will increase the vitality of the town.
4. Andy Gambardella of Hamden, spoke in favor of the application. He is looking to down size and thinks this would be a good opportunity for empty nesters.
5. Al Pacelli, spoke in favor of application. He feels this project is a good opportunity for North Haven.
6. Maria Barrone, spoke in favor of the application. She feels this project is good for the young generation and people looking to down size.
7. Steve Mirabella, spoke in favor of application. He feels this project will be helpful for the younger generation and is cost effective.
8. Laurie Holshire of Wallingford spoke in favor of the application. She stated that she would consider living in this type of development.
9. Rich Bertano, spoke in favor of the application. He believes it will keep young families and professionals in town.
10. Lia Beecher, spoke in favor of the application. She stated that she would be able to afford to move back to town.
11. Joanne Palmieri, owns a business in town and would like to see her employees be able to afford to move to North Haven.
12. Dan Dudek, spoke in opposition to the application. He feels home values will decrease and that the Fire and Police Departments will be burdened, and the sewer system will be strained. He also has concerns with increased traffic.
13. Mary White, 67 Summer Lane, spoke in opposition to the application. She feels that this amendment is not in the best interest of North Haven residents. She also feels that there is no need for this type of development in North Haven and that the town already has multi-family homes. She considers this to be spot zoning and feels the project will have a negative affect on the town and cause harm to the health and welfare of the residents. She stated that the sewer system and school system will be overburdened. Also, there would be a large increase in traffic. She also stated that she is concerned with public hearings and site plans not being required. She also stated that this proposal is not in harmony with the Town's Plan of Conservation and Development and the zoning regulations and that developers will be allowed to overdevelop R-40 properties. Then she submitted her presentation, Exhibit 1.
14. Dave Clark, 27 Bowling Green Road, spoke in opposition to the application. He feels it would have a negative impact on the town's finances and would change the character of town.

15. John Heeran, 47 Debra Lane, spoke in opposition to the application. However, if it was approved he would like to see a 1 acre playground area and a traffic light on Middletown Avenue near North Hill Road.
16. Celeste Ranciatio, 77 Montowese Avenue, read a letter from her husband regarding traffic concerns.
17. Steve Nugent of Inlands Wetlands Commission, 335 Kings Highway, submitted packet, Exhibit 2. He has concerns with the location of overlay zones. He feels they should be close to amenities and not all R-40 zones are close to state highways. He is also concerned with the lack of acreage being proposed under these amendments.
18. Lee Furmo, 62 Juniper Drive, spoke in opposition to the application. She feels that it goes against the Mission Statement of North Haven.
19. Claudina Buckley, 182 Quinnpiac Avenue, spoke in opposition to the application. She is in favor of affordable houses, not condominiums. She is concerned with the schools becoming too crowded.
20. Brian Testa, 251 Maple Avenue, spoke in opposition to the application. He feels the homes being proposed will not be affordable and asked if this amendment would become a town wide regulation. He also asked what the contractor is proposing with these amendments.
21. Mike Zuccarelli, 520 Middletown Avenue, spoke in opposition to the application. He has concerns with the development of Lexington Gardens. He asked about the price of the homes that would be built and feels police and fire calls would increase. He stated that he would not like to live near a development like this and that our taxes would increase due to the increasing number of students in the school system.
22. Ms. Pierkarski, 145 North Hill Road, asked what does this zone change do for the town? She feels that this change will have an impact on town services and schools.
23. Ann Ruocco, 40 year resident of 23 Ansonia Drive, has concerns with flooding and septic tanks being impacted. She feels that the town is already diversified and that our small town should not be compared to larger towns like Wallingford. She stated that we need to limit what we build in the future.
24. Joan Mazurek, 154 Cloudland Road, addressed an article written by Donna DiGioia. She has concerns with increasing traffic, the schools system being impacted along with the Fire, Police and Public Work's Departments. She asked if these developments would have fees like a condominium association.
25. Susan Hill, 530 Middletown Avenue, has concerns with the Planning and Zoning Commission not having the power to make decisions. She feels that people will leave North Haven if property values decrease.
26. Doug McGirr, 19 Sheffield Road, has concerns with property values being impacted.
27. Dorie Baker of the Conservation Commission, 419 Skiff Street, feels this type of development, with no control, is not in the spirit of Conservation.
28. Richard Howe, feels this amendment will not benefit the citizens of North Haven.
29. Pasquale Perrotti, 451 Middletown Avenue, has traffic concerns on Middletown Avenue and believes the Lexington Garden's property is contaminated. He stated that he is opposed to this application.

BREAK: 11:12 – 11:26 PM

Public comment continued:

30. Tom White, 67 Summer Lane, spoke in opposition to the application.
31. Annette Gattilia, 3 School Lane, spoke in opposition to the application.
32. Charles Saccavino of Pool Road, feels that the Planning & Zoning Commission will have no rights in making decisions.

Attorney Bernard Pellegrino, Jr. addressed the public's comments and then made closing remarks.

There being no further public comment, the Public Hearing was closed.

4. #P12-08 Application of Bernard Pellegrino, Applicant, proposed amendment to the North Haven Zoning Regulations, to add Section 2.7, to allow an Affordable Housing Opportunity Zone. The proposed amendment is on file in the Land Use Office and the Office of the Town Clerk.

This application is postponed to the June 4, 2012 meeting.

8-24 REFERRAL

Mr. Andrews read the call for the Section 8-24 Referral.

1. #P12-15 Section 8-24 Referral - Application of the Town of North Haven for the design and construction of improvements to the Public Works Garage property at 110 Elm Street.

Mr. Jonathan Bodwell, Town Engineer, presented the 8-24 Referral for the construction of a new 5,000 square foot single story storage building and improvements to the Public Works Garage located at 110 Elm Street. The Commission asked questions and Mr. Bodwell responded.

Mr. Carlson asked for public comment. There being no public comment, the Public Hearing was closed.

DELIBERATION SESSION:

Mr. Roberts moved to go into deliberations; Mr. Andrews seconded the motion. All were in favor.

8-24 REFERRAL:

1. #P12-15 Section 8-24 Referral - Application of the Town of North Haven for the design and construction of improvements to the Public Works Garage property at 110 Elm Street.

Mrs. Ranciato-Viele moved to approve the Section 8-24 Referral for the design and construction of improvements to the Public Works Garage property at 110 Elm Street; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Roberts – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye

PUBLIC HEARINGS:

2. #P12-06 Resubdivision Application of Frank Ferrucci – FRD Associates, LLC, Applicant, 2 Dwight Street, Associates, LLC, Owner, for 2 (two) lots relative to 2 Dwight Street.

Mr. Andrews moved to approve the application and waive the required sidewalks; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Carlson – aye Roberts – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye

The application was approved with conditions.

3. #P12-07 Application of Bernard Pellegrino, Applicant, proposed amendment to The North Haven Zoning Regulations, to add Section 2.6, to allow a Housing Opportunity Zone.

Mr. Giulietti moved to close the Public Hearing and continue deliberations to the June 4, 2012 meeting; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Carlson – aye Roberts – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye

The application was approved with conditions.

5. #P12-05 Site Plan Application of Steven Dostie, Owner and Applicant, relative to 73 Defco Park Road.

Mr. Andrews moved to approve the application and waive the required sidewalks; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Carlson – aye Roberts – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye

The application was approved with conditions.

6. #P12-14 Site Plan Application of 30 Washington Avenue Realty, Corp., Owner and Applicant, relative to 30 Washington Avenue.

Mrs. Ranciato-Viele moved to approve the application; Mr. Homa seconded the motion. The Commission voted as follows:

Carlson – aye Roberts – aye Andrews – aye Ranciato-Viele – aye Homa – aye

The application was approved with conditions.

INFORMAL PRESENTATION: None

EXTENSIONS: None

BOND RELEASES & REDUCTIONS:

#P06-49A, 55 Mill Road

Mr. Giulietti moved to release the remaining balance of the bond for application #P06-49A, 55 Mill Road, in the amount of \$125,000.00; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Roberts – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye

CEASE & DESIST ORDERS:

- 201 Maple Avenue – outdoor storage of unsightly materials and junk vehicles.

A Cease and Desist Order was sent on March 30, 2012.

CORRESPONDENCE: - Connecticut Federation of Planning & Zoning Agencies
Quarterly Newsletter, Spring 2012
-Letter regarding Melillo Motors
-ZEO Report

Mr. Fredricksen reviewed the correspondence with the Commission. Mr. Homa expressed his concerns regarding ongoing issues with Melillo Motors. The Commission suggested to consult with Town Counsel regarding this matter.

MINUTES:

April 2, 2012

Mr. Andrews moved to approve the minutes of the April 2, 2012 meeting;
Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Ranciato-Viele – aye Homa – aye Wilson – aye

ADJOURN:

There being no further business, Mr. Andrews moved to adjourn; Mr. Roberts seconded the motion. The meeting was adjourned at 12:07 PM.